

A SKETCH
OF
THE LIFE AND PUBLIC SERVICES
OF
THEODORE FRELINGHUYSEN.

THE unborn as well as the living have a right to claim that the history of a great and good man should be made known to them. Example goes farther than precept; the latter only enlightens; the first, like the Sun, imparts warmth and vitality together with light.

A desire to extend the influence of a pure example is our main reason for the present attempt to portray the history and character of THEODORE FRELINGHUYSEN. His position as candidate for the second office in the gift of his fellow citizens has hastened the time, but it has not prompted the resolution to write his biography. Those who enjoy his personal acquaintance know that his influence for good is inappreciable, and we would now extend it by a brief, unvarnished, unpretending story of his life, character and public services.

THEODORE FRELINGHUYSEN, the Whig Candidate for the Vice-Presidency of the United States, is, as all know, a native of the State of New-Jersey. He is descended from Rev. THEODORUS J. FRELINGHUYSEN, a devoted minister, who emigrated hither from Holland, in 1720, and settled in the County of Somerset, preaching with great success and usefulness, in the counties of Somerset, Middlesex and Hunterdon. He left five sons, all ministers; one of whom, Rev. JOHN FRELINGHUYSEN, excelled his father's fame in that holy calling. He was renowned for his eloquence and piety: his death was an event deplored most deeply and extensively, (though he was but 25 years old when it occurred,) and his memory still lives: throughout that section of country, and has greatly contributed to the rooted attachment which there subsists toward the Frelinghuysen family. This gentleman was the father of FRE-

DERICK FRELINGHUYSEN, whose name is familiar to all acquainted with the Revolutionary history of New Jersey, as a most energetic, patriotic and successful officer during the Revolution, and an able statesman, lawyer and senator, for a long period succeeding.

FREDERICK FRELINGHUYSEN, the father of the subject of our present memoir, early displayed uncommon ability and patriotism. In 1775, when only 22 years old, he was sent by New-Jersey to the Continental Congress; which place he resigned in 1777. The modesty and patriotism of his letter of resignation so strongly call to mind the same points of character in his distinguished son, that we must ask permission to introduce a short extract.

"It is needless" he says "to remind the honorable legislature that I did with great reluctance accept the appointment of a delegate for this State in Congress. I was then sufficiently sensible that the trust was too important for my years and abilities. I am now fully convinced that I should do injustice to my country, did I not decline that service.

"In doing this I am conscious to myself that I am merely actuated by motives for the public good, well knowing that whatever be my abilities they will be useless to the State in the Supreme Council of the nation, and that the other appointments with which the Legislature of New-Jersey have honored me, is more than sufficient to employ my whole attention."

His resignation being accepted, Mr. Frelinghuysen became Captain of a volunteer corps of Artillery, and was at the battles of Trenton and Monmouth. At Trenton, he distinguished himself by his valor, and afterwards actively engaged in the war as Colonel in the Somerset Militia.

In 1793, after repeatedly receiving testimonials of public confidence in various State and County offices, he was chosen to a seat in the Senate of the United States, and there continued, with

great distinction, till 1796, when he resigned. In the Western Expedition, he was appointed by the Commander in Chief Major-General in command of the New-Jersey and Pennsylvania line. He died in 1804, at the age of 51. As a lawyer he stood among the first at the bar of his State. "He died" says the historian, "beloved and lamented by his country and friends, and left for his children the rich legacy of a life unsullied by a stain, and that had abounded in benevolence and usefulness."

His children soon proved themselves worthy of this truly "rich legacy." His three sons, John, THEODORE and Frederick, all early distinguished themselves, and especially acquired and maintained the highest character for integrity, benevolence, and usefulness. The first and last named, are long since dead: of them, our limits forbid us to say what we would; and we hasten, now, to the grateful task of chronicling the talents and virtues of one who has been truly called "*New-Jersey's favorite son.*"

THEODORE FRELINGHUYSEN was born at the village of Millstone, in the County of Somerset, and State of New-Jersey, 28th March, A. D. 1787, and is, consequently, now 57 years of age. He received his education previous to entering college, at the school of Rev. Dr. Finley of Baskingridge, conspicuous as being the author of the Colonization scheme, and under whose excellent care many most distinguished men have received their education. Hon. S. L. Southard, Rev. Dr. Philip Lindsley of Tennessee, and others were among his schoolmates there. After passing through this school, Mr. F. entered Princeton College, and there spent two years. He graduated with the highest honors of his class in 1804. At commencement the valedictory oration was assigned to him, and he acquitted himself with great distinction. From college he repaired to the office of his elder brother, for part of the term, and for the residue to that of RICHARD STOCKTON, the Ajax of the New-Jersey Bar, and who at different times represented the State in the Senate and House of Representatives of the United States, under whose care he acquired his knowledge of the law. There he remained industriously employed in acquiring his profession four years until Nov. 1808, when he sustained his examination and was admitted to the bar, being then 21 years old.

The death of his father occurred sometime before Mr. F.'s majority, and he was left, therefore, almost unassisted, to begin his path to competence and honor. Immediately after taking his license, he removed to Newark, a place then containing about 4,000 inhabitants; among whom, when he came there, he knew scarcely any. Retiring and studious in his habits, unassuming, modest, and finding the bar already occupied by men of ability and standing, Mr. F. was for two or three years very little known, and contented himself with silently laying the foundation of his subsequently brilliant career. The Bar of Essex County was then very distinguished. Among the seniors of the profession were AARON OGDEN,* MATTHIAS WILLIAMSON, ISAAC H. WILLIAMSON* WM. S. PENNINGTON,* ELIAS VAN ARSDALE, JOS. C. HORNBLLOWER,† WM. HALSEY,

WM. CHETWOOD,* and other men of great distinction in the State, besides RICHARD STOCKTON,* and others of great ability from other counties. Such were Mr. F.'s competitors, and for some time he remained little known, but about the year 1812, his abilities were called into public notice, and he rushed at once into an extensive and lucrative practice.

Mr. Frelinghuysen's professional success took its rise from his able conduct of an important cause which occurred about the year above named. It was a case of murder, alleged to have been committed by a colored man. The killing was admitted, but it was insisted by the defendant that he acted in self defence. The prisoner was friendless and penniless, and the Court being thus obliged to assign him counsel, appointed Mr. F. together with a senior member of the bar, the present Chief Justice Hornblower. In course of time, the cause was tried, and Mr. F. as junior counsel was first to present it to the Jury; and so powerful was his appeal, that the Jury, though the case is said to have been clearly one of manslaughter at least, immediately acquitted the prisoner. Mr. F. with great pathos dwelt on the situation of the defendant as one calling for the sympathies of the Court and Jury. Every thing was combined against him: poverty, friendlessness, insignificance in public estimation on account of his color, and his being a stranger and without relatives, all contributed to swell the tide against him. The solemnity of his situation excited a morbid interest in the cause, but none for him. The lonely condemned cell—the scaffold and executioner—the fatal rope and the awful moment of death would rouse curiosity but not sympathy: unthought of, unregretted, would his spirit, if their verdict was adverse, rise from the horrid scaffold to the bar of judgment. Ideas something like these, clothed in the purest diction, animated by his vivid imagination, and delivered with surpassing eloquence, completely overwhelmed Court, Jury and auditors; a Judge,† though by no means a man easily affected, was overcome by his feelings; and thus having enlisted popular sympathy for the forlorn state of his client, Mr. F. went on to argue the facts in so masterly a manner, as quite to supersede the necessity of his colleague's address, and triumphantly acquit his client.

"I never shall forget" said a gentleman of another profession, referring to this case "the impression made upon me by this address of Mr. F. on that occasion. Though then but *twelve* or *thirteen* years of age, it has never left me, and ever since I have regarded him with intense interest, from the feelings which his pathetic eloquence then excited."

The insinuating eloquence by which the forensic efforts of Mr. Frelinghuysen were distinguished; his voice clear, mellow, and full; his manly appearance, brilliant imagination, vehement declamation and fine flow of language, together with his acute knowledge of human nature, accurate legal acquirements, strong reasoning powers, and stern adherence to right, rendered Mr. Frelinghuysen the most popular advocate at the Bar of Eastern New Jersey. His consistent morality in his profession, his scorn for petty artifice and chicanery, his desire

* Governors and Chancellors.

† Chief Justice.

* Members of Congress.

† S. L. Southard.

to settle rather than protract disputes, and strict integrity in his conduct of legal difficulties, won for him such a reputation for honesty, that his brother lawyers soon complained that juries would believe anything Mr. Frelinghuysen contended for, simply because he did so.

Mr. F.'s practice after 1812 became very extensive and lucrative. He attended the Courts of Sussex, Bergen, Warren, Somerset and Hunterdon, besides his own County of Essex, everywhere acquiring a like reputation with that so well earned at home. His opinions in politics were decided, and during the late war he raised and commanded a company of volunteers, whose services were tendered to the Governor of New-Jersey, to be called out at any time when the country needed them for its defence. Meanwhile, his legal character constantly rose, while his courteous manners, simplicity and purity of character, daily raised him in public estimation, until in 1817 he was appointed Attorney General of the State.

There were, in the appointment, some circumstances exceedingly complimentary to Mr. Frelinghuysen. The legislative majority by whom it was conferred, were opposed to him in politics, and able and prominent men of their own party were before them for election. The appointment was made without any expectation or solicitation on his part, and while he was engaged in his practice in a remote county. How he executed his office is best shown by the fact that he received two re-appointments as his terms expired, and when he resigned, did so in consequence of being elected in 1829 Senator of the U. S. for the State of New-Jersey. No man ever filled the office of Attorney General more to the satisfaction of the People than he. It was the field for the proper display of the lofty integrity, private and professional, which always was his peculiar distinction.

Guilt, whenever it appeared, he prosecuted with every energy he could command, while in his dealings even with the depraved, he ever pursued so fair and just a course, that even they who suffered from his efforts, dared not blame them. He never sunk the Attorney General in the Advocate of a side. Representing the majesty of the State, his endeavor was to ferret out the guilty, and discover truth, not to gain his cause or extend his fame.

While Mr. F. occupied the post of Attorney General he was in 1826 elected by the Legislature to a seat upon the bench of the Supreme Court of New-Jersey, vacated by the resignation of Judge Rossell. This honor, however, he declined, preferring not to leave his profession.

Mr. F. took his seat in the Senate in 1829, and there remained until 1835. We proceed as briefly as possible to sketch his course there.

Strongly attached to his own political creed, and having conscientiously adopted his political sentiments, he fearlessly and constantly maintained them, in the Senate.

No questions of great general importance arose in Congress during the years 1829 and 1830. But the peculiar character of Mr. Frelinghuysen displayed itself very soon on two questions, involving greatly the morality of public acts: the course of the United States toward

the Indian tribes, and the transportation of the Sunday mails.

The first question arose upon the introduction of a bill to provide for an exchange of lands with the Indians residing in any of the States or Territories, and their removal West of the Mississippi. The occasion of the introduction of this bill was local. The State of Georgia, by a course of previous legislation, had endeavored to secure the removal of the Cherokees, residing within her bounds: their own wishes, not being materially consulted, and her whole course, in the judgment of Mr. F. and many Members of Congress, was contrary to the treaties established with the Indians by the United States, and carefully adhered to from the earliest day. To prevent what he deemed *oppression*, he moved an amendment, providing for the protection of the Indians until they chose to remove, and for the due guaranty of their rights by fair treaty.

This amendment, which implied the existence of the Indian tribes as distinct nations, became the subject of a long and earnest debate. Mr. Frelinghuysen was the Senatorial champion; and, with all the pathetic eloquence for which he is so remarkable, pleaded for the rights of the Indians, and against what he deemed the violation of national compact and honor. Bearing up, ultimately, against denunciation and ridicule, he persevered to the last; and, though unsuccessful, gained the highest station in the opinion of the wise and good, for his enthusiasm and ability in the cause of right. Passages occur in his speech of exceeding beauty, and extracts from it have long since been introduced into works of rhetoric, as among the choicest gems of American eloquence.

Equally unsuccessful was he in another measure, which tended to obtain for him the honorable title of "The Christian Statesman." We mean, the restraint of the opening of Post offices, and transportation of mails, on Sunday. A law existed authorizing and requiring the practice, and to repeal this requisition, was Mr. F.'s desire. A great number of petitions to effect this object had been presented to the Senate, and, in conformity with them, a resolution was introduced instructing the committee on Post offices and Post-roads to report a bill for this purpose. This resolution Mr. F. advocated earnestly, believing it his duty, as a christian man, to do what he could for the observance of the Sabbath by a christian people. And, whatever may be the propriety of the particular measure, none will deny the correctness of his motives, or refuse to admire the high moral courage with which he contended for the cause of religion and morality. Nor can we forbear to remark, that, had we more such men as he in Congress, sincerely fearing God and regarding carefully the rights of their fellow men, we should have less in our public history to deplore, and more, much more to anticipate.

While considering these measures, his connection with which brought Mr. F.'s high-toned piety as a public man prominently before the country, we will leave the order of time, to quote his remarks upon a motion offered by Mr. Clay, in June, 1832, requesting the President to recommend a day of Public Humiliation on account of the Asiatic Cholera. The remarks of both

these gentlemen were so forcible, that we present them entire :

Mr. CLAY rose, and observed that—

"He had only one word to express. The resolution had not been submitted without consultation with members of the Senate, whose opinion was entitled to more respect than his own. It was, indeed, first suggested to him by a reverend member of the clergy; and, after deliberate consideration, he (Mr. C.) thought the occasion fit for the recommendation of the religious ceremony which the resolution contemplated. It was the practice of all christian nations, in seasons of general and great calamity, to implore Divine mercy. Of all the pestilential scourges which had afflicted our race, the Asiatic Cholera, in some of its characteristics, was the most remarkable. Its range of operation had been more extensive than perhaps any other known or recorded, the small pox excepted. It had broke out in Asia, and, after desolating some of its fairest portions, penetrated the northern part of Europe, and, sweeping over a great part of that continent, reached the British channel. It passed over the British isles, where it raged, but with mitigated severity. We had hoped—vainly, it seems, hoped—that the wide expanse of the Atlantic Ocean would have been a protecting barrier against its ravages in our far distant land. But it has been introduced into America; and, if it has not actually entered our territory, it now hangs on our borders in its most frightful form.

"The progress of the extraordinary scourge is sometimes marked by apparent caprice. It will approach a city or district of country, reconnoitering it, as it were, with a military eye, suddenly fly off to a distance, leaving the inhabitants rejoicing in their escape, and it will then unexpectedly return, and pursue its work of death. It attacks, too, its victims in various ways; despatching some in a few hours, while in regard to others, their excruciating tortures are prolonged a much greater length of time. Hitherto, the skill of medical science, liberal and enlightened as it now is, has been altogether incompetent to provide a sure and effective remedy.

"Should the resolution be adopted," said Mr. C. "the act of the President, in conformity to its request, will be merely recommendatory. Voluntary as to all, it would be obligatory upon none. There seems to be a peculiar propriety, on the ground of uniformity, in the proposed measure. Already, in different parts of the Union, the clergy of several denominations have, it is believed, had their attention turned to the subject. Different days of prayer and humiliation will probably be recommended. It is desirable that the whole nation, on the same day, shall present its united prayers and supplications to the throne of mercy. And there can be but little doubt that, although there will be nothing coercive in the recommendation of the President, there will be general acquiescence in it. The measure will be grateful to all pious and all moral men, whether members of religious communities or not. In times of national or individual distress, all who suffer feel an irresistible impulse to appeal to that Being who alone is able to afford adequate relief.

"I should have hesitated to present this resolution," said Mr. C. "if it had been unsanctioned by precedent. But, during the late war, a similar resolution was adopted by Congress at the instance of a member of the House of Representatives from Virginia, and President Madison issued his recommendation accordingly. It is far from my purpose to excite unnecessary alarm. All dangers appear most formidable at a distance. Even the greatest of all terrors, when the awful moment arrives, with a mind fortified by philosophical reflection; and, still more, if it be strengthened by religious hope and belief, is less appalling than it seemed when far off.

"A single word, Mr. President, as to myself. I

am a member of no religious sect. I am not a professor of religion. I regret that I am not. I wish that I was, and I trust I shall be. But I have, and always have had, a profound respect for christianity, the religion of my fathers, and for its rites, its usages, and its observances. Among these, that which is proposed in the resolution before you has always commanded the respect of the good and devout; and I hope it will obtain the concurrence of the Senate."

Mr. FRELINGHUYSEN said,—

"As it was to be inferred from the call just made for the yeas and nays, that this resolution would be opposed, he begged leave to refer the attention of the Senate more particularly to the example of the Congress in 1812. A day of humiliation, fasting and prayer, was then recommended by a joint resolution of the Senate and House of Representatives, because of the war with Great Britain, in which the country was at that time involved. It was regarded as one of those seasons of public calamity in which it became a whole people to acknowledge their dependence, and humble themselves before God. So far as I can learn from the journals of that day," said Mr. F. "the resolution was adopted without opposition. Now, sir, if a state of war in which we had by voluntary declaration engaged, was a fit occasion to call forth public expressions of humiliation for our sins, and to invoke the merciful providence of God, how much more appropriately does it become us thus to feel and act on the approach of a pestilence that in its ravages over the Old World has swept many millions of our fellow men into eternity; and which, in its character and progress through the earth, seems so emphatically to be the instrument of Divine Providence, beyond the influence and control of second causes, and especially selected to accomplish His purposes, and to come and go at His bidding.

"I hope, sir, that the present resolution may meet with no serious opposition. It surely becomes us to acknowledge our dependence, and to implore the interposition of God's mercy in this season of alarm. The constitution can present no obstacle, for it is not an exercise of political power. It is far beyond the range of politics. It is an act of piety to God, becoming the whole nation; in which rulers and people are invited and advised to bow together before His throne of grace; and there, feeling ourselves to be in like need, to unite in one common supplication to Him, who has the issues of life and death, that he would be pleased to spare us in the day of his righteous judgment. I trust, sir, that this motion will receive the same decided countenance that was accorded to a similar measure in the late war, and on many occasions during the war of the Revolution."

The resolution was carried, 30 to 13; but never passed the House. We mention it as an additional illustration of the strict religious accountability which Mr. F. always recognized in his political career: while its introduction may likewise serve to refute the slanders upon the personal character of another statesman, with whose the name of Mr. F. is now honorably associated.

To recur to our narration. In the session of 1831, Henry Clay reappeared in public life, having spent some time in retirement since giving up the office of Secretary of State, and took his seat in the Senate. The lull which had occurred as to most of the questions in American politics was already disturbed by the discontent of the South under the system of Protection of which he was the author and defender. The public debt was gradually lessening; and a reduction of the revenue became, therefore, a subject for consideration. A resolution was offered by Mr. Clay, to abolish duties on articles not coming into com-

petition with those produced within the United States: and, in discussing it, Mr. Hayne of S. C. brought up at once the great subject of the Protective Tariff. On this subject, as on most others, the views of Mr. Clay and Mr. Frelinghuysen coincided: and their names among the yeas and nays are usually found together. A bill in conformity with the views of Mr. Clay, was reported by Mr. Dickerson, Chairman of the Committee on Manufactures, and finally passed in July, 1832—Mr. F. voting for it. In the same session, the Bank of the United States was re-chartered, and vetoed; and Mr. Frelinghuysen, together with Mr. Dallas, was found voting for the Bank, in opposition to President Jackson. And, also in the same session, with Messrs. Dallas and Dickerson, Mr. Frelinghuysen voted for Mr. Clay's bill to distribute the proceeds of the public lands among the several States of the Union. In the discussions upon these subjects, Mr. F. at times participated: but an introduction of his remarks would be inconsistent with the prescribed brevity of the present memoir.

From one speech, however, delivered by Mr. F. we must be permitted to quote: characteristic as it is of his principles of patriotic gratitude to those who, with his father, fought for American Independence. It was on the Pension bill, which Mr. F. and Mr. Clay strongly and successfully advocated; and which was, in the lower House, opposed so strenuously by James K. Polk and others:

Mr. FRELINGHUYSEN said—

"He would detain the Senate for a few moments, in stating the reasons for his vote in favor of this bill. The honorable Senator from South-Carolina (Mr. Hayne) has correctly remarked," said Mr. F. "that the original principles of the pension system respected those only who had become disabled in the military and naval service of the country. It professed to help that portion of the soldiery alone, that in our employment had been deprived of the faculty of helping themselves. And, sir, if we were now, for the first time, about to enlarge these principles, I should agree with the honorable gentleman in many of his patriotic sentiments. In the discussion of this question, he has exhibited a masterly view of the subject, and most ably and eloquently urged the pregnant evils—the corrupting influence—of a great pension system. Sir, I submit, with all respect for that gentleman, that it is now too late for the introduction of these doctrines; and that, in truth, they do not, and should not apply to the claims of that meritorious class of our fellow citizens who sustained the struggles of the American Revolution. We have suffered the time to pass when the extension of pension favors might have been resisted on abstract principles. For, sir, it is now more than fourteen years ago (in 1818) when the Congress of the United States, by its legislation, departed from those strict rules and granted a pension to such soldiers of the regular line as were in reduced circumstances. Here, then, was an explicit surrender of the miserable basis of pension. Here was provision made for the needy, from other causes than military privations. The Government opened the hand of relief to all of a specific class, who were reduced to the necessity of seeking its aid. By some, this liberal and seasonable concern for the destitute was regarded as an act of mere justice; by others, of equity; and by all, of gratitude. And, the great moving consideration was the nature of the service. These men were not fighting for pay. Sir, they staked all that was valuable on the issue. It was a revolution in every sense. We not only

resisted Great Britain, but resolved to set up for our selves. It was a resort to first principles. We threw ourse ves back upon the elements of political association. We were in colonial dependence; we had been the subjects of a foreign potentate, and we resolved to become the citizens of our own Government. We determined to convince the world that we possessed the right, and meant to exercise the power, to think for and govern ourselves. Such were the noble doctrines for which our armies were mustered. Yes, sir, they staked all, and they gained all. There never had been such a service, or such an army, or such a cause, in this world before. The Congress of 1818 thought it made its own law, and that it would be as unjust, as it was harsh and oftentimes offensive, to apply to it the conditions of a pure pension. It is now too late to retrace our way. We have yielded to better influences. We surely should not complain of the call that is now made, for we have ourselves furnished the plea for it. The only duty that remains for us is to ascertain its legitimate operation.

"Moreover, sir, the act of 1828 that professed to indemnify the regular army of the revolution for the depreciated and almost worthless pay that was made to them, in still larger measures approached the true spirit of these claims.

"But there were two defects in the system, even as thus liberalized. In the first place, it exacted the humiliating confession of absolute poverty. It required of the aged veteran that he should publicly and in the presence of the sons, by the side of whose fathers he had fought and suffered, expose the wretchedness of his condition; that he should produce the proof of his pauperism, and swear to it himself. I have seen these worthies in our public courts of justice, exhibit the inventory of their poverty, down to the items of cups and saucers, and I have felt humbled for my country. Sir, a noble spirit would sometimes exclaim, I will die in want first. If my country exacts such ignoble conditions, let her withhold the miserable pittance. And who, sir, of this Senate, does not honor the sentiment? It has been honored and vindicated by the manly feeling of this great community. Public opinion would not longer brook such terms of national honor and gratitude; and, by the concurring indications of Legislatures and People, we are invoked to relax these hard conditions. And should a few partake of a favor that do not need it, better so, than that even one deserving relic of times so dearly cherished should go down to the dust neglected and forgotten.

"But, sir, there was another and equally substantial objection to the present system. It discriminates most invidiously between the troops of the regular line and the militia. The latter could not perceive the reasons for such difference, when they remembered that they had fought as bravely, and bled as freely, as any soldiers of the American army. The honorable Senator (Mr. Hayne) has said that the camp was the place of safety. If that were so, it must have been the camp of the regular forces, and not the uncertain, ever-changing quarters of a partisan corps, whose tents were raised to-day, only to be strack to-morrow, to repel the sudden incursions of a prowling and mercenary horde. Sir, the gentleman also urged that the men at home and on their farms suffered most severely by dangers and depredations; and such, Mr. President, were precisely the exigencies of the militia—they were the yeomanry of the country, who were often summoned from their ploughs at a moment's warning to fly to the defence of their neighborhoods, and reclaim the plunder that in an unexpected hour the enemy had rifled from their dwellings and their farms. These were the men who felt the distresses of a cruel and relentless warfare, that brought terror, alarm, and confusion to the fireside; and who, amid all that long, harassing and doubtful conflict, stood firm to

the cause, and never flinched from their purposes. In personal privations they suffered quite as severely, and, in the sacrifice of property, vastly more than the regular soldiery. Wherefore, then, is it that we should coldly pass them by, and with such partial and exclusive consideration, distinguish the one, and utterly reject the just claims of the other?

"Besides, sir, if the bill should be made to rest on adequate compensation, how were the militia paid? In the same depreciated, worthless currency, in which the Congress has accorded indemnity to the regular army. So that, whatever inducements may be urged, there is no sound or satisfactory reason for preferences where the sacrifice, sufferings and glory were common.

"I regretted to hear any thing of sectional contrasts in this matter; that the North would receive at the rate of 10,000 pensioners, while the South and West could only present 4,000. Sir, these exciting suggestions I consider unhappy in their influence. We have far too many sectional prejudices already to deplore. Let us not increase them. Why should this bill be enlisted in the ungracious service? It was not so regarded in 1818 or 1828. We then treated it as a national object. The battles and perils of the revolution were not encountered for sections—life and honor were pledged and redeemed as fully and freely for Georgia as for New-Jersey. Why, then, sir, should we attempt to trace the dollars of this proposed appropriation to the pockets of the receivers, and run up an account between this and the other side of any line? But, Mr. President, on principles of the strictest accountability, the provisions of the bill are just. If the North sent the most men, she should receive the greater recompense. To give to the most fighting the most pay, seems very equal.

"The West have in terms been invoked to aid in preventing what is denounced as unequal, because, from social and political causes, the most numerous body of the revolutionary army happen to reside North of this District. I also invoke the West—not for sectional purposes—but I would call upon them to remember their aged fathers whom they have left behind—to soothe the last years of a feeble few, now in sight of their graves, by whose patriotic struggle you now enjoy your noble West, with all its enterprise, resources and happiness. Sir, my honorable friend, in terms of eloquent eulogium, ascribed to the female heroism of the revolution a full share in the achievements of those memorable times. I thought, Mr. President, that had those more than Spartan mothers listened to the high tribute paid to their virtues, their hearts would have responded; such praise from such a source is more than ample recompense—now, be just to our husbands and sons, and we shall acquit our country of all her obligations.

"As the bill before us dispenses with the condition of poverty, and impartially imparts its benefits to all that deserve them, I hope it will receive the support of the Senate."

The year 1833, next in order of time, was, it is well known, one of the most eventful in our national history. South Carolina, unappeased by the reduction of duties on articles not competing with home produce, nullified the authority of the Union. In December, 1832, President Jackson issued his memorable proclamation, which, however, produced no effect. When Congress met, it appeared that the Protective system was in imminent danger. The sympathies of many were with South Carolina; while principle, nevertheless, enjoined the enforcement of the laws of the Union. To do this, a bill to enforce the collection of the revenue, commonly termed the "Force Bill," was reported, under the recom-

mendation of the President, and passed. Mr. Frelinghuysen was active in its support. Another bill, further to provide for the collection of duties, called the "Revenue Collection Bill," likewise met with his ardent support. On the 1st February, 1833, he made a finished argument upon the subject, in reply to Mr. Bibb, of Kentucky. Conservative in his native tone of mind, he at once threw his weight into the scale of law and order, and supported the President in his maintenance of the authority of the Union.

The secret hostility of the Administration to the Protective system, and the sympathy of the South for South-Carolina, was such, however, as to place that system in great danger. The Committee of Ways and Means of the House, of whom James K. Polk was one, reported a bill greatly diminishing the duties on protected articles, which met with great favor from the Administration, and was long and ardently debated. The friends of the Protective system became persuaded that they were in danger of losing all, or dissolving the Union, if some measure of compromise were not adopted: and on February 11th, 1833, Mr. Clay introduced his famous Compromise Act, which provided for a gradual reduction of duties until the year 1842, when they should be 20 per cent. ad valorem. The House bill reduced the duties much more, so that the Compromise was a gain to the Protectionists, even at that rate. The Compromise was accepted by many of the friends of Free Trade. Mr. Polk voted for it, as he says, because it reduced the rates of the Act of 1832, although it did not reduce them as low as was contemplated by the bill from his Committee. Others, friends of Protection, refused to come into it, but Mr. Frelinghuysen supported it with his voice and vote; sympathizing entirely with the views of Mr. Clay. His remarks upon the subject are worthy of extract, as an exhibition of his own motives and those of the other Protectionists who advocated the measure:

Mr. FRELINGHUYSEN said—

"If this were a mere abstract question, he should concur with the views of his honorable friend from Massachusetts. He did believe with him, that all civilized nations, who hold commercial relations with the world, must cherish their domestic industry by a Protective policy. But," he said, "this was not now an abstract but a practical question, of deep and most eventful moment. It is vain," said he, "to disguise this matter, that for the last nine or ten years a constant, pervading, and almost universal discontent with our tariff system, has prevailed throughout the Southern section of the United States. This dissatisfaction was aggravated by the Tariff law of 1828, a measure which all agree was of very exceptionable character in many of its provisions; and at last has broken out into what I must denominate the absurd doctrines of nullification. Although these doctrines are effectually denounced by the power of public sentiment, yet, let it be remembered, this nullification is only one of the many forms by which discontent has manifested its influences. So uncompromising has been the hostility of the South to the policy, that we have seen men who differ on all other subjects agree in this. Even party spirit, in its all-absorbing power, has not been able to raise a voice in its favor. Yes, sir, the opposition has grown to such a magnitude, that two months ago every patriot trembled for his country. In this crisis," Mr. F. said, "the bill now on its passage, as a great peace offering, was proposed to

the deliberations of Congress. I confess," said he, "that my mind was greatly embarrassed, and I feared that it was not only of doubtful, but dangerous tendency, not only to the Tariff, but to my honorable friend from Kentucky. But the interchange of views, the benefit of opinions from those personally engaged in these branches of our industry, has brought my mind to the clear conviction that it is a patriotic effort to rescue the whole system from the perils that threaten it.

"I believe, sir, that the honorable mover in this pacific and healing measure, however he may now be assailed by the press, will yet be hailed and honored by a grateful people for his agency in restoring peace, harmony and fraternal feeling, to this distracted country.

"It is with great satisfaction and consolation also, I state that those of my constituents whose interests I am here to protect, are satisfied with the bill before us. They declare their preference for a measure which secures to them eight years of tranquillity, to high Tariffs with continued hostility. Sir, they are willing, and so am I, to wait for the influence which the lights of experience, which time and better feelings, we may hope, will shed over the claims of our great national interests. I am persuaded that far less danger will then betide this policy, than threaten it at this time. The system has, heretofore, had no fair trial with the Southern section. We all know that it has met with constant conflicts on our floors. There has been no time for calm and dispassionate consideration. It has been struggle and resistance without intermission or end. The strife of debate and the claims of consistency have all been pledged against it.

"Now," said Mr. F., "I trust we shall have peace: the conflict is past; we shall have time to take breath, and look at the subject with reflection and judgment, in all its national bearings; and I believe, sir, that eight years hence we shall find that public opinion, which now seeks the destruction, enlisted in the support of our Home Industry. But should we be disappointed at that time, and should the North find the Tariff to be essential to its prosperity, and the South persist in unyielding hostility to protection, then, sir, will be soon enough to meet the momentous exigency; and the postponement of such an issue is among the strong inducements to the proposed compromise.

"Who is there that does not rejoice," said Mr. F., "in the happy change of feelings that, by the blessing of a benignant Providence, we now witness? However others may have felt, sir, it has taken off from my mind an oppressive load of anxiety. At the commencement of the Session, apprehensions were strong in every bosom that the Union would be shaken to its foundations, if not utterly destroyed. Now, sir, instead of separating under the sad fears that we might not meet again as brethren of the same happy and blessed country, we are about to return to our homes with much of that good temper, kind feelings, and fraternal confidence, which entered so largely into the establishment of our Union."

At another day, in reply to Mr. Webster, who had asserted the probable insufficiency of 20 per cent. duties in 1842 to protect the manufactures of the country, Mr. Frelinghuysen said:

"The gentleman from Massachusetts has not dealt fairly with my argument. By the measure under consideration, the country will be allowed time to take breath, and the harshness of the present opposition to the Protective policy would be soothed. It is true that the interests of the manufacturers will be put to hazard in 1842, but the danger which they will encounter then, will be far less threatening than those which surround them now. If, at the end of eight or ten years, the South will not consent to the continuance of a moderate de-

gree of Protection, then we shall have before us the very issue we now have. Will we have the Tariff or have the Union? My information as to the effect of the reduction upon the handicraftsmen in my State, I received before I left home. I submitted to them the question, whether the Tariff or the Union should be destroyed; and their reply was, that they loved the Union better than the Tariff, and would cling to the Union at all hazards. Whenever it comes to that dreadful issue, I take the Union."

From this extract we gather two or three important facts, besides the light it throws upon the public character and patriotism of Mr. Frelinghuysen. It shows that it was by no means contemplated, when the Compromise Act passed, that its terms should be binding forever; but, on the contrary, that the raising of duties, would, in 1842, be a distinct issue. It shows, too, the motive to its passage: a partial surrender of private views;—a spirit of noble patriotism—which, throwing away interested motives, sacrificed itself for the sake of the Union.

The action of this Compromise was magical. The complaints of the South were pacified: the North prospered well under it; and would, in all probability, have continued so to do, had not the Experiments upon the Currency, of later years, sapped the growing strength of manufactures, and rendered the 20 per cent. unequal to their protection. But the result has exhibited the correctness of Mr. F.'s opinion. The "harshness of the opposition to the protective policy" has been "soothed"—and now, the main question attempted to be raised in politics, by the opponents of protection, is not, Shall we have a Tariff? but, Which party is the Tariff party?

The next session was distinguished by the occurrence of party questions of great moment and interest. The removal of the deposits: the Senatorial resolutions thereupon: the protest of the President, and its rejection by the Senate: are matters of so late date as to need no description here. On all these matters, Mr. Clay and Mr. Frelinghuysen stood together: fearless, uncompromising, and active, in their adherence to right, against the overbearing dictation of the Executive. And, though instructed by the Legislature of his State to "sustain, by his vote and influence, the course of the Secretary of the Treasury," with an independence which did him honor, he held himself bound to obey the instructions of his conscience, rather, and eloquently and ardently appealed from the Legislature to the people.

That appeal was not, immediately, successful. When the famous Expunging resolutions came before the public, Mr. F. was again instructed by the Legislature to vote in their favor; but again manfully refused to make himself the slave and tool of any set of men, however honorable. He treated their suggestions with deference, but would not hold himself subject to any instructions.

Mr. Frelinghuysen closed his Senatorial career on the 4th of March, 1835; an adverse Legislature having selected a gentleman of opposite politics, on the expiration of the term of Mr. F.: enjoying, it is believed, a very uncommon share of the respect and good will of his associates. On his return home, he was met by an assembly of his fellow citizens, who escorted

him to his residence, with every demonstration of respect for his high abilities and noble character. His address to them was not reported, but is said to have been among the finest specimens of the burning style by which he is distinguished. He returned among a people who sincerely loved and admired him—and, resigning all expectation or desire of again appearing as a politician, lived at Newark, in the active practice of his profession, admired and beloved as never public man in New Jersey was, until the year 1838, when he yielded to the solicitations of his friends in New-York, and assumed the post of Chancellor of the New-York University. This position he has since filled, with equal credit to himself and advantage to the institution, happy in the knowledge of the good he does, and in the enjoyment of domestic affections.

The spontaneous nomination which placed his name beside that of Henry Clay, on the Whig ticket for 1844, was by Mr. F. neither desired nor expected: perhaps hardly would have been permitted, had he himself thought it likely. Earnest in his political creed: sound in his Whig doctrines as ever: warmly attached to Mr. Clay, and anxious for his election, he yet had long since abandoned any thought of political life; and, in various modes of private benevolence, was striving to do what in him lay of good to his fellow men. He yielded, to the earnest affection of his friends, and especially to the enthusiastic call of his native State, permission to use his name: and the respect of the Nominating Convention for his talents and his virtues, prompted his selection: though many of the firmest and best Whigs the land could produce were brought simultaneously forward. The Country, throughout its length and breadth, has by acclamation approved the choice: and it is confidently believed that if any name could be selected to add strength to the mighty name of Clay, his is that name.

The sketch we have given of Mr. Frelinghuysen's course in the Senate, renders unnecessary any remarks upon his political sentiments. He is Whig to the core—and, from the beginning to the end, has been the steady supporter and admirer of Mr. Clay. In 1832 his sentiments were expressed in a letter for publication, which we quote:

"I have just returned from the Young Men's Convention, where I heard Mr. Clay in his finest style of address. He was brief, but full of energy and ardor. He made my bosom thrill with patriotic emotions. The Hall was crowded with Ladies, Members of both Houses of Congress and distinguished strangers—the body of the room filled with youth—the hope of our Country. I never saw such an assemblage—almost every State has sent up its youthful talent and virtue, to confer together and take counsel with each other, on the great interests of the Republic—to be refreshed and invigorated for their public duties, and in urging the *just* claims of Mr. Clay to the first office of the Government. I say his *just* claims—for if eminent qualifications—if exalted talents, and persevering and unshaken devotion to the vital interests of the Country deserve such distinction, his title is full. I have been investigating Mr. Clay's public character, for the whole session and for many years before; and the more I have studied, the more I have esteemed and admired. Look at his noble course on the Tariff policy; on the acknowledgment of South American

Independence—on the great scheme of the Colonization Society—and last, not least, his conduct with regard to the Public Lands; and you behold the same manly, fearless, able and upright pursuit of the broad, old-fashioned path of national and social happiness. There are no shifts or truckling to circumstances about him—no feeling the wind, or bending even to the storm—this least of all: for if ever the Roman firmness of Cato is more than usual in his conduct, it is when any attempt is made to drive him from his course. In short, my dear Sir, I know no man in the Country who has so much of soul mingled with politics as Mr. Clay. They call him ambitious. He is ambitious; but it is for the welfare of his Country—that all her people, through all her ranks to the humblest cabin, may enjoy the blessings of peace, industry and enterprise; and that he may be the honored instrument of promoting those great purposes. I do ardently hope that he may soon receive the exalted testimony of the Union to his public worth as a Statesman, and the steady friend of Liberty in its broadest relations."

Just after this, in a Speech before a Convention at Orange, Mr. Frelinghuysen eloquently set forth the claims of Mr. Clay to the Presidency of the United States. And, since his nomination with him, in response to a Mass Meeting of his fellow citizens in New-York, who at his house tendered him their congratulations, he, with equal ability and eloquence, described his public and private virtues. Throughout his life-time identified in policy with the American System, and for several years intimately acquainted with Mr. Clay, his admiration for the Statesman was combined with affectionate respect for the man: and no one has ever been more ready to avow it.

The character and sentiments of Theodore Frelinghuysen, as a man, need little remark, and are their own encomium. Not a man in this country ever did or ever can deserve more honor for virtues, public and private. Not a cause of benevolence is there, to which his efforts or his purse has not been freely given. When in full practice at the Bar of New-Jersey, he adopted the resolution of living the rest of his life as a religious man. His was no half-way piety. No man ever suspected his sincerity; no man ever believed him intolerant. Mild in his demeanor;—respecting the rights of the humblest, scrupulously honest and honorable—charitable to all creeds and all persons—no man ever knew him that did not respect; however he might differ from him. The more his private character was scrutinized the more it was admired; and his influence for good upon his brethren of the Bar, the Senate, and in private life, can only be well appreciated by those who have come into contact with him. The key of his character lies in one principle, the determination to do good to his fellow men, and honor his Creator. And so clear is its bearing upon his life, that all acquainted with him feel a reverence which no other public man inspires. This principle has led him to take a prominent part in most benevolent projects of the day, while his good sense and judgment have restrained him from every chimerical or ultra scheme. With respect to the Slavery question, for instance: he has ever respected the rights of the South, and contended against political abolition, while his philanthropy has led him to be a warm, active and decided advocate of the scheme adopted by the Society for Colonization. Here again he stands

by the side of Henry Clay, with voice and pen, advancing that middle ground which Madison and Mercer, Marshall, Bushrod Washington, Monroe, and the Southern philanthropists generally, have occupied. The American Bible Society, the General Board of Foreign Missions, the Temperance Society, with the Association for the Amendment of Prison Discipline, and many others, have all been benefited by his exertions; while to the cause of Popular Education he has ever earnestly devoted himself.

As to his mental character, his talents are of the highest order. This fact becomes more evident the better he is known and understood. He is not one of those who loom large in the distance, but diminish on closer inspection. The estimate of his powers grows with acquaintance. This arises from the fact, that he has no ambition for display—none at all. He rather inclines to the other extreme, always circumscribing the exhibition of his own parts, when not warmly excited by his subject, within the narrowest possible limits consistent with the performance of his duty. I know that this may appear startling to those who always endeavor to put the best foot forward; but such is the fact, and therefore we need not wonder that men of not half Mr. F.'s abilities should sometimes make a much greater noise.

But the noisiest men are not the greatest men. He is greatest who seizes *truth* with greatest rapidity, proclaims it with greatest *power*, and acts it with greatest *energy and prudence*. Judging by this criterion, Mr. F. is a great man. Greatness, however, does not always obtain the readiest applause. Truth is one, error is legion. Many fine things may be said on a subject to excite the admiration of the crowd, which are not true, or not to the point, and which the great man would therefore reject at the risk of being charged with frigidity and tameness. Hence the complaints made by superficial critics, of tameness and want of interest in some of Mr. Webster's most profound discourses. They do not see, they cannot appreciate, the mental toil, the vast comprehension, the nice discrimination with which he has weighed and condemned the false or the only half true, and come at last, after repeated trials, to settle upon those immutable principles which will forever stand there, in the forms in which his own severe taste has cast them. Mr. F. may sometimes displease the same critics for the same cause. When he has expressed, in chaste and classic language, all that is true on the matter in hand; when he has enforced it upon the attention by all legitimate considerations, he is done. He will not go around a subject and about it, fighting windmills and raising phantoms. He rejects every thing irrelevant.

In fine, rapid comprehension, correct judgment, and prompt execution, the strongest characteristics and best criteria of greatness, are eminently the characteristics of Theodore Frelinghuysen. His mind pierces a matter with inconceivable rapidity. His judgments on subjects most involved and intricate seem almost intuitive. The New-Jersey bar know something of this! The rapidity and correctness with which he would master the details and seize the strong points of the knottiest causes, when engaged in the practice of his profession, ever excited the admiration of his

associates. Akin to this is the sagacity with which he penetrates the motives and characters of those who approach him. Few can so cover their real designs as to escape his scrutiny. In the argument of legal questions the same traits were manifested. It was impossible for him to rest in the *hæc verba* of particular cases; he would plant himself on those fundamental principles of jurisprudence on which all the cases were founded—principles, perhaps, whose operation the minds of courts and jurists had been imperceptible to themselves, and never set in strong relief before; but which were no sooner enunciated than acknowledged. From these illustrations the character of Mr. F.'s mind is easily deduced. It is strikingly rapid, correct, comprehensive. In these particulars I think I have never known his equal.

Mr. F.'s public efforts, however, will not be entirely understood without reference to another characteristic. He has an instinctive abhorrence at making a display; at shining in borrowed plumes, availing himself of other men's labors and thus appearing to possess endowments not his own; at appearing, in fine, in any other or greater character than belongs to him in the most ungarded moments of social intercourse. Let no one therefore accuse him of plagiarism, either in words or thoughts. Whatever he utters is his own—a part of himself. Some men will come out with productions which astonish their most intimate friends; but which, carefully examined, are found to be nothing but splendid pieces of patch-work. They are the perfect antipodes of Mr. F. He is always as great as he seems.

We do not mean that Mr. F. is not a student. By no means. He is a student in the highest sense of that term. His mind is richly endowed and strengthened by long years of study and various reading. Constitutionally vigorous and active, it has compelled every mental aliment within its reach, whether offered by books or observation, to contribute to its growth and accomplishment. But the effect has been rather the enlargement of his own intellectual grasp and the strength of his faculties, than the multiplication of disconnected objects, or the accumulation of other men's opinions in his memory.

Of Mr. F.'s eloquence, why need we speak? Those who have heard him can never forget the over-mastering power with which he seizes and convinces the understanding and the conscience, and carries away sympathies. His eloquence bears the stamp of his character. It is far-reaching and comprehensive—it comes from the heart, and it goes to the heart. Add the perfect chasteness and classic elegance of his language, the aptness of his phraseology, the power and density of his sentences, the music of his voice, and it is easy to understand the power with which he has ever wielded the suffrages of the jury box, the understandings of men, and the hearts of christians.

We will sum up our estimate of his character, in the words of a resolution, passed before his nomination, by a meeting of the citizens of Essex county; the truth of which every one who knows him will cheerfully guaranty. They

Resolved, That having been long and intimately acquainted with THEODORE FRELINGHUYSEN, we

commend him to the nation as a man eminently qualified for the office of Vice President of the United States, knowing that throughout his life he has been an earnest and unwavering supporter of Whig principles—a jurist of high and well deserved celebrity—a statesman clear in the perception of his country's true interests, untiring in their advocacy and ever steadfast in his integrity—an orator, at the Bar and in the Senate conspicuous among the foremost—a man without fear and beyond reproach—remarkable for sound and correct judgment—of demeanor mild and courteous—and adorned by a piety which hallows the whole and makes him the object of the love as he is of the admiration of all who know him.

With the man who said "I would rather be right than be President," the Whig party have placed before the people New Jersey's best beloved son, THEODORE FRELINGHUYSEN. His native State pledges herself to the Union, that he will honor their choice. The blood of patriotism flows

in his veins; the spirit of patriotism lives in his history. At home, rich and poor unite to honor and love him. "Ah, sir," said an old Irish woman to one of the Convention who nominated him, "you have indeed done a good act in striving to elevate that man: he has been 'eyes to the blind, and feet to the lame!'" And with justice could the quotation be pursued, that "when the ear heard him, then it blessed him; and when the eye saw him, it gave witness to him; because he remembered the poor that cried, the fatherless and him that had none to help him. The blessing of him that was ready to perish came upon him, and he caused the widow's heart to sing for joy." If the American people, (as we trust they will,) make these men possessors of the highest honors they can bestow, it will be scarcely so much honor to them as to their electors; if they do not, the electors alone will be disgraced.

APPENDIX.

Extract from Mr. Frelinghuysen's speech on "The removal of the Deposites" delivered in the Senate of the United States, Jan. 1834, exhibiting his views of the paramount obligations of THE CONSTITUTION AND THE LAWS.

"In the language of Mr. Jefferson, and according to the soundest philosophy of politics, the great mass of the American people have always been, and now are, 'all Federalists, and all Republicans.' It is the federalism of the Constitution that I honor,—the system of fundamental law, as expounded by Hamilton, Madison and Jay, and administered by Washington, and most of his successors. I never drank at any other fountain, and wish to follow no other guide. And, however, in seasons of tranquility, when the sun shines brightly, and the waters are calm, we may venture to condemn or neglect these good old principles; when tempests begin to muster—when the highways are broken up, and the billows of convulsion break over us and around us, then, sir, when every face is sad and every heart is heavy, we almost instinctively seek refuge and guidance in our Federal Constitution; we will then follow no other leader; it is the only shield that affords security. It is, indeed, sir, a copious and perennial fountain; copious, to supply all the social and political wants of this great confederacy, and of vital energy, fully adequate to impart its rich benefits still wider, as the lines of our Union shall expand and encompass many more noble States. Yes, sir, far as the intrepid enterprise of our people shall urge the tide of emigration toward the setting sun, until all over the valleys of the West freemen shall rejoice in their blessings, and not an unoccupied acre remain on which to raise a cabin or strike a furrow.

"Mr. President, if in the benignant councils of a Merciful Providence, it shall please Him to perpetuate our liberties, I believe that it will be through the agency of these principles. And should that melancholy crisis come to us, as I fear it may, as it has come to all past Republics, when the people of this Union shall reject the control of fixed principles, and seek to break away from the *government of laws*, then, indeed, sir, will the hopes of our enemies, and all the fears of our friends, meet in the catastrophe of constitutional liberty, and our "sun shall go down while it is yet day."

Extracts from Mr. Frelinghuysen's view of Slavery in the States, published in 1834.

"It is universally agreed that, by the principles of our confederation, the internal concerns of each State are left to its own exclusive cognizance and regulation, and the Federal Government of the United States cannot lawfully legislate on the subject of Slavery, as it exists in the several States.

"Prior to the adoption of the Federal Constitution, the thirteen States were separate and independent governments. There was no political bond to which was given, by concession, the power of control: the State of Massachusetts, for instance, possessed no more right to interfere with the relation of Master and Slave in Carolina than it had to interfere with the relation of Prince and Serf in Russia. When the Constitution was framed, no such right was acquired or could be obtained; and a subsequent provision was engrafted, which was merely a declaratory of the necessary intendment of the instrument, that 'all powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.' The precise extent of these reserved rights has, in many particulars, been the subject of grave debate; but that they include the right of interfering in the relations of Master and Slave, no one has had the hardihood to pretend. Such terms as the States respectively chose to insist upon, must necessarily have been acceded to, or the whole compact remains inoperative; and, at all events, the slaves of the South, by its adoption, were placed in no worse situation than before, and, in many respects, much better. Nothing of an unkind or uncharitable character is attributable, therefore, to the Constitution, to those who framed, or to those who adopted it. Interests were contemplated and protected in which our black population participated, and of which they are now reaping, slowly but surely, the favorable fruits.

"What the *political* action is which the Constitution PRESCRIBES for the removal of Slavery, we are yet to learn; nor is it easy to imagine a federal principle adequate to that result, and, at the same time, compatible with the 'sovereignty of each State to legislate *exclusively*' on the subject, and the disclaimer of any right of Congress, under the *present* national compact, to interfere with any of the Slave States on this momentous subject."

After comparing the views of the Colonizationists and Abolitionists, especially in this—that the first relate solely to the *free* blacks while the latter have reference to *slaves*, our reviewer proceeds thus :

"The question is at issue, whether *immediate* emancipation shall be conferred upon a class of men incapable of self-government, to the utter destruction of the lives and property of two and a half millions of white inhabitants, or whether the former shall await the march of events and the progressive influences of philanthropy. But it is not two and a half millions of whites only, whose interests and happiness are involved. Eight millions more, North and West of the Potomac, are not only affected by, but distinctly included in the result. Twenty-four States, five-sixths of whose inhabitants are white, and who are knit together by a bond of political union, are threatened by this rash proposition, to be driven back to a state of anarchy, commotion and civil war! The very first overt act that shall occur in any one of the Northern States to carry into effect the plans of those who oppose the Colonization enterprise, will probably result in a separation of the Union. The political fabric erected with so much care, and at the expense of so many lives and so much treasure, will be prostrated in the dust. The institutions under which we have become a great and happy people will be subverted, and disaffection and hostility assume their place.

"When, therefore, we are urged to the immediate abolition of slavery, the answer is very conclusive, that *duty* has no claims, where *both the right and the power to exercise it* are wanting. The door is shut upon us here; nor could we open it, but by a violence, destructive of public harmony and probably fatal to our National Union.

"But there is a vantage ground whence benevolence may expand in her broadest desires; and the Colonization Society presents it. Here, the South and the North meet in kindred sympathy and cordial coöperation. We have seen with what liberality most of the Southern States contribute to the treasury of the Society. It is an *unfounded aspersion* to ascribe their patronage to the sordid calculations of avarice and the design of more firmly riveting the chains of slavery. To repel this ungracious imputation upon a generous people, we need only learn the fact that the great majority of the colonists are emancipated slaves, liberated by Southern owners. Some have been guilty of great injustice in the feelings they have cherished toward the South; and have declaimed against slavery as if, really, all Christian feeling, principle and duty ranged on the North of the Delaware! *There was never a greater or more humiliating mistake.*"

MR. FRELINGHUYSEN'S Testimony to the character and qualifications of HENRY CLAY in 1832.

A meeting was recently held in Essex county, New Jersey, by the National Republican party, at which Mr. Frelinghuysen, the Senator from that State, was present, and made a very eloquent speech in favor of Mr. Clay, which is thus epitomized in the Newark Daily Advertiser :

"Mr. Frelinghuysen, in support of the nomination of Mr. Clay to the office of Chief Magistrate, said that he was happy in the occasion that enabled him to bear his testimony to the fitness of this eminent citizen for the station to which so many voices were calling him. He was the more gratified by this opportunity, because he had at one period entertained some doubts on the subject—but a careful investigation of Mr. Clay's political history, and a personal intercourse with him for the last protracted session, had satisfied his own mind that no man better understood the interests of the country, nor

would pursue them with purer intentions, than Mr. Clay. Mr. Frelinghuysen said he took pleasure to say of him that he believed him to be an upright and much injured statesman. He is emphatically the child of Liberty and our free institutions. He possessed no advantages in youth, but poverty and obscurity—as himself once more eloquently expressed it, 'he was the child of indigence and dependence—his only inheritance was rags and poverty.' But he saw the free open way to fame and honorable distinction, that the spirit of our happy Republic presented to all her sons—and he entered the lists of manly enterprise, and by the energy of his genius, and the force of his persevering efforts, rose to the very summit of official distinction. He enjoyed the early confidence of his fellow-citizens—in the Senate and House of Representatives of the United States—as a Minister abroad on a most difficult and eventful embassy—and as Secretary of State, he has received unequivocal testimonials, that in public estimation, he was fitted to fill any civil station, in the gift of a free and enlightened people. But more than this—as Speaker of the House of Representatives, it has often been said of Mr. Clay, that he wielded more influence than any man that ever occupied that chair. What was it, sir, that gave him such influence? It could not be mere sound—for let it be remembered, that no political body of men in any country possess more of talent, intelligence and independence, than the House of Representatives. No sir, said Mr. Frelinghuysen, it was the weight of his character, the splendor of his genius, and his deep acquaintance with the principles of our government. His whole life has been a political schooling into its doctrines. His mind is imbued with the very spirit of Republican Liberty.

"Until the late struggle for the elevation of General Jackson, no man filled a larger space than Henry Clay. Every American honored his talents, and none distrusted his uprightness. As a Speaker of the House—as a most able debater in Congress—as one of the representatives of his country, in the critical negotiations with Great Britain, we can all remember how he was admired and esteemed. Sir, said Mr. F. what has been his offence? One thing, Mr. Chairman, he could not do. He could not proclaim General Jackson to be that which, in his conscience, he knew him not to be, eminently qualified for the discharge of the high and difficult duties of President of these United States. He dared to dispute and deny the pretensions of General Jackson, and for this he has been pursued and hunted, as if he had been a traitorous viper, and the presses of the opposition have been crowded with the most cruel and bitter imputations. Sir, these wrongs of Mr. Clay form a strong reason for your countenance. Let us raise a shield around this favored son of the country, to repel the darts of his persecutors.

"Moreover, sir, said Mr. F. the public conduct of Clay entitles him to our confidence. Recur for a moment to a few of his measures, and you will find in them all the same characteristic marks of a great mind looking with enlarged and liberal views at their relations and results. Trace his course in the question of South American Independence—when her patriots were struggling for that precious boon which our fathers, by the blessing of Heaven, had gained for us—where stood Mr. Clay then? Sir, he well knew how gratefully it would cheer the hearts of our Southern friends to learn that there was a pulse in American bosoms that beat high in sympathy for their cause—and he threw the whole weight of his character, and power of his talents, into their interests—and who can soon forget the responding plaudits that echoed from the mountains and plains of the South, in gratitude to this friend of freedom? Sir, he loved liberty *for its own sake*—with the philanthropy of a great and generous mind, he hailed its aspirations, no matter where, or by whom, they were breathed forth.

"Again—when the scheme of establishing a colony for the liberated children of oppressed Africa, on the shores of that benighted continent, was commended by the late and deeply lamented Dr. Robert Finley to a few friends at the City of Washington—you know, sir, how deeply it was denounced, as a visionary and Utopian enterprise. It was scouted as a brain sick chimera by the great mass of the American community. Not so by Mr. Clay. His penetrating eye perceived, in this derided charity, bearings of a large and hopeful character. He saw what momentous connexions it would hold with the deeply interesting subject of slavery here; and what fullness of light it promised to shed on the millions of degraded men in Africa. Sir, there was nothing about the project to engage or interest a mere demagogue. The venerated man who disclosed his views to Mr. Clay was unknown to fame, and his cherished object was almost universally ridiculed—and yet this great statesman, by an ardent consecration of his best efforts, vindicated its claims, and bore it in lofty triumph above and beyond all the obloquy and scorn that assailed it.

"To come nearer home—consider the principles of Mr. Clay's political conduct, in the protection of Domestic Industry. He had often heard British statesmen discourse most eloquently upon the beautiful theory of *free trade*, but when he looked into British statute books, he found a policy that restrained all commerce, but that of their own goods in British bottoms. Our corn, wheat and flour, our fish and manufactures, were all excluded from their ports; and nothing was free but the products of their own industry. He readily perceived where such a state of things would lead us, and to raise us above a dependence upon the workshops of Europe, to encourage American Industry and Enterprise, he has fostered a system of measures that has happily developed the great resources of the country, and greatly enlarged the means of rational enjoyment. Where would Orange and Bloomfield, Belleville, Paterson and Newark, now be in the scale of prosperity, but for the unshrinking labors of this patron of the American System?

"Internal Improvement also claims Mr. Clay for a steady friend. Some have hoped to decry this, as a point of vulnerable policy, and have exhibited what they deemed a very startling picture, in the vast expenses and gigantic nature of these improvements. Now, Mr. Chairman, in the light of what Mr. Clay regards as Internal Improvements, this is about as wise as to object against a telescope the length of its tube, or the cost of the brass. It is not the mere length of the Canal, or the expense of the Railway, that constitutes either its recommendation

or objection; but it is the great national consequences to follow these public facilities of intercourse, that commend them to the patriot's consideration. We have an overflowing treasury—how can it be so well applied as in bringing distant sections of the country near—as by facilitating the intercourse of remote settlements, and thereby wearing away local asperities and sectional distinctions? Mr. F. adverted to Mr. Clay's last great measure—his bill, report, and speech on the Public Lands. He insisted that Mr. Clay's conduct—his ability developed in the report and discussion—the fearless and manly frankness with which he met a crisis almost forced upon him, all tended to clench the confidence that he felt in his integrity of purpose.

"You will recollect, sir, said Mr. F. that this was a duty altogether unsought by Mr. Clay. He was a member of the Committee of Manufactures, and insisted that a reference of the Public Lands to his committee was not fit or according to parliamentary rules; the reference, however, was made, and Mr. Clay was charged with a most difficult and delicate service. There stood the West, with extravagant calculations; many of her citizens had persuaded themselves into the notion that this noble and public domain belonged in exclusive property to the States in which it is situated. What a fine theme was here presented for an artful and intriguing policy to manage; to flatter and soothe the warmly cherished expectations of the West, and yet keep in good humor the watchful old Thirteen! But what did Mr. Clay? With his habitual honesty of heart, he indignantly repelled the unfounded pretension of exclusive claims by any portion of the Union, demonstrated by the most conclusive reasoning, that the Public Lands were the fruit of common blood and treasure, and therefore were, and ought to remain, a common fund for the benefit of the whole.

"In conclusion, Mr. F. repeated his conviction, that while Mr. Clay was subject like all men to faults, he was worthy the confidence of his country; and to use the language of a political opponent there was nobleness about the man, for you *always know where to find him*. Retrace his whole life, sir. In many trying exigencies of the country, when, or where was it, that he betrayed the slightest symptoms of an equivocal or temporizing policy? It cannot be found. His opinions, and feelings, with all his views of national prosperity, and of the nature and principles of our Constitution, are before his country. Every man can read them; and it is ardently hoped, that by a decided expression of the nation's will, both Mr. Clay and his measures will be sustained."